

Minutes
Chiropractic Physician Licensing Board
July 13, 2006
Room: 402
160 E 300 S
Heber Wells Building
Salt Lake City Utah

Convened: 9:05 A.M.

Adjourned: 11:10 A.M

Division Staff Present:

Division Director
Attorney General
Bureau Manager
Board Secretary

J. Craig Jackson
Carl Perry
Daniel T. Jones
Lee Avery

Members Present:

Theodore J. Scott, DC, Chairperson
Lew Wheelwright, DC
James D. Knight, DC
Gordon McClean Jr., DC
Ed Sperry

Guests Present:

Tim Apgood
Lance Rawlings, DC

RECOMMENDATIONS

Review Minutes:

TOPICS OF DISCUSSION DECISIONS &

The minutes of April 6, 2006 were reviewed. Dr. Knight motioned to accept the minutes as is, seconded by Dr. Wheelwright. The motion carried.

Appointments:

Dr. Daniel Knechtel, Probation Interview

Dr. Knechtel presented himself to the Board. Dr. McClean conducted the interview. Dr. Knechtel reviewed with the Board the reasons his professional license is on probation. Dr. McClean advised the Board he reviewed some of the records Dr. Knechtel sent to him for review and he felt they complied with the Boards requirements. The Board noted the importance of good record keeping. Dr. Knechtel advised the Board he is getting married in August and is in the process of moving to a new clinic, with medical physicians. Dr. Knechtel stated he feels he will be able to learn more in this environment. The Board cautioned Dr. Knechtel regarding the areas

that cross over and appropriate billing as there are a lot of gray areas in a multiple clinic. The Board asked to see Dr. Knechtel in January 2007. **In Compliance**

Dr. Andrew White, Probation Interview

Dr. White presented himself to the Board. Dr. Knight conducted the interview. Dr. White reviewed with the Board the reasons his professional license is on probation, noting he stopped using the laser as soon as he was told to stop using it. The Board noted Dr. White's probation is for one year and will be completed in August 2006. Dr. White advised the Board he was only able to find one ethics course and this was for only seven (7) hours and he has already completed this course. Dr. McClean stated he was aware of some specific courses and asked Dr. White to contact him later for references. Dr. Wheelwright motioned to have Dr. White complete an additional four (4) hours and then release him from probation, seconded by Dr. Knight. The motion carried unanimously. **In Compliance**

Discussion:

The Board noted the National Board Exam has their exam online and briefly discussed this exam be made part of all new probations requirements, instead of the hourly requirements.

The Board noted the statutes require the Special Purpose Examination for Chiropractors (SPEC) for those licensed in another jurisdiction. The name of this exam has been changed and the statutes will need to be changed to reflect this.

Dr. Keith Hansen, New Probation Interview

Dr. Hansen presented himself to the Board. Mr. Ed Sperry conducted the interview. Dr. Hansen advised the Board this is his first time before it and reviewed the reasons his license is on probation. Dr. Hansen stated he was charged with Forcible Sexual Abuse, pled no contest and was found guilty of Sexual Battery, a Class A misdemeanor. Dr. Hansen stated he explained the technique he planned to use to the patient

one time, however believes he should have explained it to her every time she came in. Dr. Hansen also stated his assistant was about thirty (30) feet away, and should have been close and this was an error in his judgment. Dr. Hansen stated this happened in June 2003 and the criminal charges were filed in June 2004. The Board talked with Dr. Hansen about the technique he used. Dr. Hansen advised the Board his staff is aware of his professional license being on probation. Dr. Hansen stated he does not have his patients disrobe during x-rays. The Board expressed its concern and decided to revisit this at another meeting. The Board reviewed Dr. Hansen's stipulation with him, noting his professional probation is five (5) years. The Board asked to see Dr. Hansen at its next meeting in September.

Dr. Lance Rawlings, Probation Interview

Dr. Rawlings presented himself to the Board. Dr. Rawlings advised the Board he has agreed to supervise Dr. Hansen during his professional probation. The Board advised Dr. Rawlings he will need to keep the Board apprised of how Dr. Hansen is doing and completing supervisory reports. Mr. Jones advised Dr. Rawlings to contact Ms. Higgs for copies of supervisory reports.

Discussion:

Discussion:

The Board briefly discussed the need to establish a list of resources for ethics courses, starting with the National Board of Chiropractic Examiners (NBCE) online course. **The Board took no action at this time.**

Law and Rule Exam, update, Daniel T. Jones

Mr. Jones advised the Board its Law exam is in Statute.

Training Hours, Distance Learning – Daniel T. Jones

The Board will be involved in a review of the test questions with Thomson/Prometric in the future. Mr. Jones advised the Board the Division just concluded an audit of the continuing education. This showed less than two percent (2%) had distance learning. Those

who did were mostly from remote areas.

Discussion:

The Board briefly discussed its concern with the information received from Dr. Powers at its last meeting. The Board noted there were seven (7) or eight (8) names on the letter presented by Dr. Powers supporting the removal of the ten (10) hour distance learning continuing education requirement. The Board also noted it was unable to locate any contact phone numbers on several of these doctors, and those who were located could not remember supporting Dr. Powers. Dr. Knight motioned to keep the rule as it stands requiring ten (10) hours of continuing education in distance learning, seconded by Dr. Wheelwright. The motion carried unanimously.

2007 Legislation – Daniel T. Jones

The Board expressed its concern with the Physical Therapists opening their statutes to upgrade their license to a medical license. The Board felt because of the limited education this could be a public safety concern. The Board discussed this in detail. Mr. Jones advised the Board the Utah Medical Association (UMA) will not allow them to diagnose. The Division has not seen anything yet. Mr. Jones advised the Board the Division wants the statute format with all of the profession be the same. These are mostly house cleaning issues for example, changing the numbering systems. The Physical Therapists are opening their statutes to make these changes. The Division just finished updating the Veterinarians practice act.

The Board took no action at this time.

Federation of Chiropractic Licensing
Board (FCLB), Dr. Gordon McClean and
Dr. Lew Wheelwright

Dr. McClean noted the importance of having someone from the Board attend the conventions. Interacting with other State Boards has been extremely helpful in making needed changes. The Board noted NBCE has an interactive program online, however the website was difficult, the information was repetitious and the overall documentation needs to be improved. Most answers

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were in essay type form. Other concerns expressed were the Physical Therapists adjusting. The Board noted there has been many personnel changes the National Board

Dr. Wheelwright motioned to adjourn at 11:10.

Next Meeting

The next Board meeting is scheduled for October 12, 2006.

Date Approved

Chairperson, Chiropractic Licensing Board

Date Approved

Bureau Manager, Div. of Occupational & Professional Licensing